

Entered - 10-28-09 sb
CL 09L0836- GWENDOLYN BURNS

10- R -0100

CLAIM OF: DORCAS GREY, THROUGH HER
ATTORNEY,
STEVEN R. THORNTON, ESQ.
THORNTON LAW FIRM, P.C.
Two Ravinia Drive, Suite 500
Atlanta, Georgia 30346

JAN 19 2010

For bodily injuries alleged to have been sustained from a slip-
and-fall incident on May 26, 2009 at Hartsfield-Jackson
Atlanta International Airport, 8700 Spine Road.

THIS ADVERSED REPORT IS APPROVED

BY:

JERRY L. DELOACH
DEPUTY CITY ATTORNEY



ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE 1/12/10

CHAIR [Signature]

[Signature]
[Signature]
[Signature]

RECEIVED
JAN 19 2010
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

JAN 19 2010

ADVERSED BY
CIVIL INCL

CITY COUNCIL
ATLANTA, GEORGIA

January 29, 2010

Steven R. Thornton, Esquire
Thornton Law Firm, P.C.
Two Ravinia Drive, Suite 500
Atlanta Georgia 30346

10-R-0100

RE: Dorcas Grey

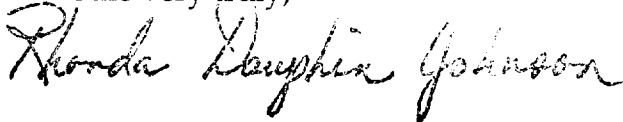
Dear Attorney Thornton

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on January 19, 2010. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Yours very truly,

A handwritten signature in cursive script that reads "Rhonda Dauphin Johnson".

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0836

Date: November 30, 2009

Claimant /Victim DORCAS GREY
BY: (Atty) (Ins. Co.) Steven R. Thornton, Esq., Thornton Law Firm
Address: Two Ravinia Drive, Suite 500, Atlanta, Georgia
Subrogation: Claim for Property damage \$ Bodily Injury \$ unspecified
Date of Notice: 10/22/09 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 5/26/09 Place: 8700 Spine Road, Hartsfield-Jackson Atlanta International Airport
Department AVIATION Bureau: Office:
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that she was injured when she slipped and fell due to a wet and slippery substance on the floor. However, the claim has forwarded to the City's insurance carrier AIG Aviation for resolution.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other X
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

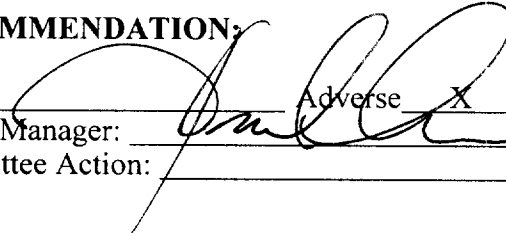
Function: Governmental Ministerial X
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. X Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,



INVESTIGATOR - GWENDOLYN BURNS

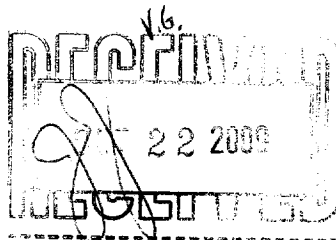
RECOMMENDATION:

Pay \$ Adverse X Account charged: General Fund Water & Sewer Aviation
Claims Manager:  Concur/date 12/15/09
Committee Action: Council Action



Steven R. Thornton

Two Ravinia Drive
Suite 500
Atlanta, GA 30346
Tel: 678.855.7148
Fax: 678.855.7149
www.thornton-lawfirm.com



October 14, 2009

PRESENTATION OF CLAIM PURSUANT TO O.C.G.A. § 36-33-5

BY CERTIFIED MAIL

ENTERED - 10-28-09 - SB
09L0836 - G. BURNS

BURNS
10/28/09
[Signature]

TO: The Hartsfield-Jackson Airport, of the City of Atlanta, Georgia (A Municipal Corporation), its insurer, agents, employees, lessees, assigns, affiliates, and successors

Honorable Shirley Franklin
Mayor, City of Atlanta
55 Trinity Avenue
Atlanta, GA 30303

Receipt # 7009 1680 0000 2378 0481

Honorable Lisa Borders
President, Atlanta City Council
City of Atlanta
55 Trinity Avenue
Atlanta, GA 30303

Receipt # 7009 1680 0000 2378 0498

Honorable Roger Bhandari
Acting City Attorney
City of Atlanta Department of Law
68 Mitchell Street Suite 4100
Atlanta, GA 30303

Receipt # 7009 1680 0000 2378 0504

Honorable Rhonda Dauphin Johnson
Municipal Clerk, City of Atlanta
55 Trinity Avenue
Atlanta, GA 30303

Receipt # 7009 1680 0000 2378 0511

Tarik Bezuneh
Manager, City of Atlanta
Risk Management Division
68 Mitchell Street
Suite 9100
Atlanta, GA 30335

Receipt # 7009 1680 0000 2378 0528

Benjamin R. DeCosta
Aviation General Manager
6000 North Terminal Parkway
Atrium, Suite 4000
Atlanta, GA 30320

Receipt # 7009 1680 0000 2378 0405



10- R -0100

October 14, 2009

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**NOTICE OF CLAIMS PURSUANT TO O.C.G.A. § 36-33-5
OF DORCAS GREY FOR MEDICAL BILLS, PAIN AND SUFFERING, AND ALL OTHER
CLAIMS ARISING OUT OF THE INJURIES SUFFERED BY DORCAS GREY**

Please be advised that Steven R. Thornton of Thornton Law Firm, P.C. represents Ms. Dorcas Grey in regard to any and all claims against the City of Atlanta and others arising out of an incident involving Ms. Grey that occurred on May 26, 2009 at the Hartsfield-Jackson International Airport of the City of Atlanta, Georgia, located in Clayton County, Georgia. This incident caused Dorcas Grey to incur physical injuries, medical expenses, pain and suffering, and lost wages.

Pursuant to O.C.G.A. § 36-33-5 as counsel for Ms. Dorcas Grey, and within the six (6) month period required by statute, I am presenting her claim for general and special damages, both past and future, including but not limited to medical expenses, permanent disability, diminished earning capacity, lost wages, pain and suffering, and any other damages allowed under Georgia law. While our investigation is still ongoing, we believe the value of this claim to exceed two hundred fifty thousand dollars (\$250,000.00).

At the time of the incident, which occurred during the morning on May 26, 2009, Dorcas Grey was walking in the ticketing and boarding pass kiosk area of the Atlanta Hartsfield-Jackson airport terminal. As Ms. Grey was walking and paying attention to what she was doing, she fell due to a wet and slippery substance on the floor. Ms. Grey was taken from the scene of the accident by ambulance to South Fulton Hospital. As a result of this fall, Ms. Grey sustained torn ligaments in her right ankle, and also injuries to her right knee and right shoulder.

Dorcas Grey contends that Hartsfield-Jackson Airport, through its agent, employee, and/or contractor/subcontractor AIG Aviation, Inc. and/or ICS Contracting Service, was negligent in its maintenance of the floor by allowing a wet, slippery, and hazardous substance to be placed and to remain on the floor in an area where many airport invitees regularly traverse by foot. There were no warning signs in the area to alert invitees at the Airport that the area was wet, slippery, and dangerous, nor were there any obstacles in the area to prevent invitees at the airport from walking in the wet area.

Ms. Grey further contends that Hartsfield-Jackson Airport's negligence proximately caused her to sustain physical injuries on May 26, 2009. Had the floor in that area been clean and dry, or had warning signs been placed in the area to alert invitees at the Airport that the area was wet, slippery, and dangerous, and/or had any obstacles been placed in the area to prevent invitees from walking in the wet area, Ms. Grey's fall would not have occurred.

Dorcas Grey has claims for medical bills, pain and suffering, and lost income, past and future. To the extent not previously outlined, Dorcas Grey asserts claims for any and all personal injuries and damages of any sort flowing from the injuries suffered by her as provided by Georgia law.



October 14, 2009

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This notice is given pursuant to O.C.G.A. § 36-33-5 in order to afford the Hartsfield-Jackson International Airport of the City of Atlanta, Georgia, its agents, employees, lessees, assigns, affiliates, and successors, and their insurance carriers, if any, sufficient information to allow an investigation of these claims, and to adjust and settle these claims if they so desire.

Additionally, pursuant to the Georgia Open Records Act, I am requesting that you provide me with the names of all persons and entities involved in cleaning or maintaining the floors in the area where Ms. Grey fell on the date of the incident, and allow me to inspect and copy any contracts between the City of Atlanta and/or any contractor or subcontractor whose responsibility it was to correctly clean and maintain the floors in that area of the Airport.

Finally, I hereby request that you preserve, maintain, and do not alter or change any of the following records:

1. Investigative reports, memoranda, and statements concerning this incident;
2. Witness statements concerning the incident;
3. Surveillance videotapes of the subject area for the date of the incident;
4. Photographs of the area involved in this claim on the date of the incident; and,
5. Photographs of the injuries Ms. Grey sustained;

These documents are relevant and important to our investigation and prosecution of any claims related to this incident. If these documents are destroyed or altered in any manner, we will seek any sanctions allowed under the law.

If you contend this letter does not provide you with sufficient notice pursuant to O.C.G.A. § 36-33-5, or comply with said statute, please advise me immediately in writing, and we will correct any deficiencies. I look forward to hearing from you on this matter.

Respectfully submitted, this 14th day of October, 2009.

THORNTON LAW FIRM, P.C.

By: 

Steven R. Thornton

Georgia State Bar No. 710630

RCS# 17
1/19/10
1:54 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

10-R-0145

ADOPT EXCEPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

| | | | |
|-----------|-------------|-----------|-------------|
| Y Smith | Y Archibong | Y Moore | Y Bond |
| Y Hall | Y Wan | Y Martin | Y Watson |
| Y Young | Y Shook | Y Bottoms | Y Willis |
| B Winslow | Y Adrean | Y Sheperd | NV Mitchell |

CONSENT I